GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Allegations of corruption against Sri M. Ramanjaneyulu, former Prohibition & Excise Sub-Inspector, SHO, Vijayawada and now retired – Disciplinary proceedings initiated under Rule 20 of APCS (CCA) Rules, 1991 – Enquiry Officer appointed – Orders of Hon'ble High Court dated 08.03.2021 in W.P. No 17569/2020 for release of pensionary benefits – Implemented – Orders – Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.594 **Dated:28.09.2021.**

Read the following:

1. Proceedings No.A/42/2014, dated:17.01.2014 of the Deputy Commissioner, P&E, Kakinada.
2. Govt. Memo No.3362/Vig.IV(2)/2014, Revenue (Vig.IV) Dept., dated:1.9.2015.
3. From the DG, ACB, Lr.Rc.No.12/RCO-VKI/2014-S.9, Dt:16.10.2015.
4. G.O.Ms.No.195, Revenue (Vig.IV) Department, dated:01.03.2019.
5. G.O.Rt.No.360, Revenue (Vig.IV) Department, dated:01.03.2019.
6. From Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired), Written Statement of Defence Dt:24.04.2019.
7. G.O.Rt.No.992, Revenue (Vig.IV) Dept., dated:01.10.2019.
8. G.O.Rt.No.914, Revenue (Vig.IV) Dept., dated:30.11.2020.
9. Orders dt:11.12.2020 of the Hon'ble High Court in W.P.No.17569 Of 2020 filed by Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired).
10. Writ appeal with SR No.27596 of 2021 filed against the Orders dt:11.12.2020 of the Hon'ble High Court of A.P in W.P.No.17569 of 2020.

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O R D E R :

Whereas, it was brought to the notice of the Government that Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired), while working as P&E SI, Vijayawada was trapped by the ACB while collecting mamools of Rs.5,00,000/- on behalf of the Excise Superintendent from Licensee and in view of his detention for more than (48) hours, he was placed under suspension and subsequently, he was reinstated into service without prejudice to the criminal / departmental proceedings pending against him. After conducting detailed enquiry, the Director General, Anti-Corruption Bureau, in his final report 3rd read above, has recommended to prosecute Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired) in a court of Law.

2. After careful examination of the matter, Government have decided to initiate disciplinary proceedings against Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired) and accordingly, in the G.O.5th read above read with G.O. 4th read above, disciplinary proceedings have been initiated against him in this matter by framing articles of charges under Rule 20 of APCS (CCA) Rules, 1991 read with Rule 9 of APCS (CCA) Rules, 1991. In reply to the charges, Sri M. Ramanjaneyulu, Prohibition & Excise Sub- Inspector, Vijayawada (Retired) has submitted his Written Statement of Defence and after examining the same, Sri G. Muralidhar, Assistant Commissioner, P&E, Vijayawada was appointed vide G.O. 7th read above as

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Inquiring Authority for conducting enquiry into the charges framed against Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired). Subsequently, in the G.O.8th read above, Sri Srinivasa Chowdary, Assistant Commissioner, P&E Dept., Ongole was appointed as Inquiring Authority in place of Sri G. Muralidhar, Assistant Commissioner, P&E, Vijayawada, for conducting enquiry into the charges framed against the Charged Officer.

3. While the inquiry report from the Inquiring Authority is awaited, Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired) has filed Writ Petition No.17569 of 2020 before the Hon'ble High Court with a prayer to set aside the disciplinary proceedings initiated against him and to sanction 100 % Pension, Retirement Gratuity and Earned Leave salary with interest 12 percentage along with the benefit of Commutation of Pension from the date of his retirement. The Hon'ble High Court is pleased to pass the following order on 11.12.2020 in the above Writ Petition:-

> *"In the present case, the incident under the scanner is said to have taken place in the year 2014. The criminal case filed against the petitioner was closed. There was silence on the part of the authorities for another 5 years and the Petitioner is allowed to retire. Thereafter, a charge memo is issued to the Petitioner. This is a clear case where the delay is inexplicable and not on account of the Petitioner herein. This delay has caused prejudice to the Petitioner as the petitioner would not be in a position, at this length of time, to put forward a comprehensive defence in relation to facts which have faded from memory.*
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> *"In these circumstances, this writ petition is allowed setting aside the Disciplinary proceedings initiated under G.O.Rt. No. 360, Rev. (Vig.IV) Department. Dated 1.3.2019 with a consequential declaration that the petitioner is entitled for payment of 100% Pension, retirement Gratuity and earned leave salary with interest at the rate of 12% along with the benefit of commutation of Pension from the date of his retirement. There shall be no order as to costs."*

4. Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired) has filed C.C.No.1049/2021 for not implementing the orders dt:11.12.2020 passed by the learned Single Judge in W.P. No.17569 of 2020 and the Hon'ble High Court has posted the case on 30.09.2021 for personal appearance of the Respondents.

5. In the reference 10th read above, Government have filed Writ Appeal before the Hon'ble High Court of A.P against the order dt: 11.12.2020 passed by the Learned Single Judge in W.P.No.17569 of 2020.

6. Therefore, Government, after careful examination of the matter, and in compliance and due respect to the orders dated: 11.12.2020 of the Hon'ble High Court of A.P passed in W.P.No.17569 of 2020, hereby implement the same and hereby accord sanction for payment of 100% Pension, retirement Gratuity and earned leave salary with interest at the rate of 12% along with the benefit of commutation of Pension from the date of his retirement to Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired), subject to outcome of the Writ Appeal filed before the Hon'ble High Court of Andhra Pradesh.

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7. The Commissioner of Prohibition and Excise, A.P., Vijayawada shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M. Ramanjaneyulu, Prohibition & Excise Sub-Inspector, Vijayawada (Retired), through Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.
The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary to AP. Vigilance Commission, A.P. Secretariat, Velagapudi.
The Principal Accountant General (A&E), A.P., Vijayawada.
The Director of Treasuries and Accounts, Andhra Pradesh, Vijayawada.
The Government Pleader for Services-I, A.P. High Court, Amaravati.
Sf/Sc.

//FORWARDED :: BY ORDER//

SECTION OFFICER